

Government of the District of Columbia
ZONING COMMISSION



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FINAL RULEMAKING

and

ORDER NO. 947

Z.C. Case No. 01-06TA

(Text Amendment – 11 DCMR)

**(Downtown Development Overlay District -- Amendments Related to Approved PUD for
Former Woodward & Lothrop Building)**

September 17, 2001

The Zoning Commission for the District of Columbia, pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, as amended; D.C. Code, 2001 Ed. § 6-641.01 (formerly codified at D.C. Code § 5-413 (1994 Repl.))); having held a public hearing as required by § 3 of the Act (D.C. Code, 2001 Ed. § 6-641.03 (formerly codified at D.C. Code § 5-415 (1994 Repl. & 1999 Supp.))); and having referred the proposed amendment to the National Capital Planning Commission for a 30-day period of review pursuant to 11 DCMR §§ 3025.3 and 3028.1; hereby gives notice of the adoption of the following amendments to §§ 1706.8(c) and 1707.4(e) in Chapter 17 (Downtown Development Overlay District) of the Zoning Regulations, Title 11 DCMR, pertaining to Lots 828, 829, 847, and 848 in Square 377.

These properties were referenced and included as part of the amenities in Zoning Commission Case No. 00-33C, in which the Commission, in Order No. 940, approved the Planned Unit Development (PUD) for the former Woodward & Lothrop Building at 1025 F Street, NW, Lot 805 in Square 346. Pursuant to, and consistent with, discussion by the Zoning Commission in considering the PUD application, this rulemaking adds Lots 828, 829, 847, and 848 in Square 377 to Housing Priority Area "C" and removes said lots from the list of properties within Downtown Development Overlay District that are limited to an on-site floor area ratio (FAR) of 6.0.

The Commission held a public hearing in this case on July 26, 2001. At the conclusion of the hearing, the Commission took proposed action pursuant to 11 DCMR § 3027.2 to approve the proposed amendments. A Notice of Proposed Rulemaking was published in the *D.C. Register* on August 10, 2001, at 48 DCR 1205, for a 30-day notice and comment period. A letter from Holland & Knight, dated September 7, 2001, supporting the proposed rulemaking was received.

The application was referred to the National Capital Planning Commission (NCPC) under the terms of § 492 of the District of Columbia Charter. NCPC, by report dated September 6, 2001, found that the proposed text amendment would neither adversely affect the Federal interest in

the National Capital nor be inconsistent with the Federal Elements of the Comprehensive Plan for the National Capital.

The Office of the Corporation Counsel has determined that this rulemaking meets its standards of legal sufficiency.

The Commission took final action at its regular monthly meeting on September 17, 2001. No substantive changes were made to the amendments as proposed. However, the introductory language in § 1706.8(c) was amended to clarify that Housing Priority Area C comprises only the listed squares and parts of squares, not all of the DD/C-4 zoned properties located south of H Street. The Commission finds that the proposed amendments are in the best interest of the District of Columbia, consistent with the intent and purpose of the Zoning Act and the Zoning Regulations, and not inconsistent with the Comprehensive Plan for the National Capital.

Based on the above, the Commission hereby **APPROVES** the following amendments to §§ 1706.8(c) and 1707.4(e) of the Zoning Regulations, Title 11 DCMR. Deleted wording is shown in strike-through lettering and added wording is shown bolded and underlined.

Chapter 17, Downtown Development Overlay District, is amended as follows:

A. Amend § 1706.8(c) as follows:

1706.8(c) Housing Priority Area C, the Downtown Core area, comprises the following DD/C-4 zoned properties located south of H Street, ~~including squares :~~ Squares and parts of squares numbered 377 (Lots 36, 37, 42, ~~and 806, 828, 829, 847, and 848~~), 406, 407, 408, 431, 432, 454, 455, 456, 457, 458, 459, 460, and 491.

B. Amend § 1707.4(e) as follows:

1707.4(e) Square 377, lots 35, 819 through 821, 823 through ~~829,~~ 827, and 846, ~~847, and 848;~~

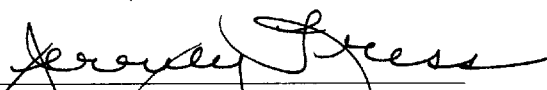
Vote of the Zoning Commission taken at its regularly scheduled meeting on April 16, 2001, to **APPROVE** the proposed rulemaking: **5 – 0 – 0** (Anthony J. Hood, Herbert M. Franklin, John G. Parsons, Carol J. Mitten, and Kwasi Holman (by absentee vote), to approve).

This order was **ADOPTED** by the Zoning Commission at its public meeting on September 17, 2001, by a vote of **5 – 0 – 0** (Carol J. Mitten, Peter G. May, Anthony J. Hood, James H. Hannaham, and John G. Parsons, to adopt).

In accordance with 11 DCMR § 3028.9, this order shall become effective upon publication in the
D.C. Register; that is, on NOV - 2 2001



CAROL J. MITTEN
CHAIRMAN
Zoning Commission



JERRILY R. KRESS, FAIA
DIRECTOR
Office of Zoning